



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 00-719

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

CABLE SERVICES BUREAU ACTION

March 30, 2000

PETITION SEEKING DECLARATORY RULING THAT CERTAIN RESTRICTIONS OF AN ARIZONA HOMEOWNERS ASSOCIATION ARE PREEMPTED BY THE COMMISSION'S OVER-THE-AIR RECEPTION DEVICES RULE

Messrs. Daniel and Corey Roberts have filed a Petition for Declaratory Ruling asking the Commission to determine whether the Declaration of Protective Covenants, Conditions, Easements and Restrictions of The Canada Vista Homeowners Association ("Canada Vista") restricting installation and placement of television antennas and satellite dishes is preempted by Section 1.4000 of the Commission's rules. The Petition alleges that Canada Vista's covenants violate the Commission's rule preempting restrictions that impair installation, maintenance or use of over-the-air reception devices (satellite dishes and antennas) by imposing antenna screening requirements that add an unreasonable expense to the installation. Canada Vista is located in Scottsdale, Arizona.

For purposes of our *ex parte* rules, this proceeding will be considered as non-restricted pursuant to Section 1.1206 of the Commission's rules ("Permit-but-disclose proceeding").

Parties may file responses to the Petition on or before **May 1, 2000** and replies on or before **May 16, 2000**. Please place the case identifier, **CSR-5531-0**, on all filings.

The Petition is available for public inspection in the Commission's Reference Information Center, Court Yard Level:

445 12th Street, S.W.
Washington, D.C. 20554
(202) 418-7092

Copies of the Petition and other pleadings are available for purchase from:

ITS, Inc.
1231 20th Street, N.W.
Washington, D.C. 20036
(202) 857-3800
Facsimile: (202) 857-3805
<http://www.itsdocs.com>

When filing responses or replies, an original and two copies of all pleadings should be addressed to:

Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
Attn: Cable Services Bureau

One copy of each pleading must also be served on all parties.

Media Contact: Michelle Russo at (202) 418-2358.

Cable Services Bureau Contact: Treg Tremont at (202) 418-7200.

TTY: (202) 418-7172.

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